

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

FREDERICK J. DUMONT

Plaintiff,

V.

CASE NO. 1:15-CV-369-NT

PEPSICO, INC.

And

**PEPSICO ADMINISTRATION
COMMITTEE**

Defendants.

DEFENDANTS' RESPONSE TO PLAINTIFF'S REQUEST FOR ORAL ARGUMENT

Defendants believe that the parties have fully briefed the issues, citing more than 25 cases in which the courts have addressed the parties' arguments and decided the very issues before the Court. Defendants believe oral argument would be an unnecessary imposition upon the Court's valuable time.

PRETI, FLAHERTY, BELIVEAU & PACHIOS, LLP

Date: November 9, 2015

By: /s/ Randall B. Weill

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and

THOMPSON COBURN LLP

Date: November 9, 2015

By: /s/ **Richard J. Pautler, Esq**
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CERTIFICATE OF SERVICE

I, Randall B. Weill, hereby certify that I electronically filed Defendants' Response to Plaintiff's Request for Oral Argument in this matter with the Clerk of Court and that service has been made on all those registered to receive service through the Court's ECF system in this matter.

Dated at Portland, Maine this 9th day of November, 2015.

/s/ Randall B. Weill

Randall B. Weill, Esq.

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